mobility to said polymer to allow regions of said conjugated diene polymer to associate with one another to achieve a crystalline state; . Again, the claim is exclusionary as the solvent is limited to only NMP by use of the term "consisting of." It is thus NOT the same solvent. This language in Claim 11 and where relevant in other specific claims, eliminates reference to the siloxane polymer. In view of this language change, Claim 11 is suitable for inclusion in this application.

As to the rejection cited for claims under 35 U.S.C. 112, first paragraph, Applicants have amended the claims to include reference to "conjugated dienes" as a means of distinguishing the claims over the prior art. The basis for this language is found in the specification on page 2, line 6. The Examiner previously rejected this language asserting that there was no basis in the specification for the language. Page 2, line 6 unequivocally states: " These polymers (i.e., those defined in Claim 9 of the application) are conjugated systems which are made electrically conductive by doping." Organic chemists classify "dienes" *per se* as hydrocarbons which contain two double bonds. "Dienes" are further specifically classified as unconjugated dienes, (double bonds separated by two or more single bonds); conjugated dienes, (have double bonds separated by one single bond); cumulated double bonds, (double bonds sharing a common atom as in allenes); heterodienes (one or more of the unsaturated carbon atoms replaced with a heteroatom. The use of "conjugated diene" in the claims is appropriate as the use of "..the polymers are conjugated systems..." inherently includes "conjugated dienes" as is supported by the definition supplied above.

The Examiner has again rejected specified claims as anticipated by, or in the alternative, as obvious over Han (US 5,171,478) in view of Cao, et al. (5,232,631). The data disclosed in the drawings supports the conclusion that the present invention is different in kind as opposed to difference in degree with respect to Han.

There is no disclosure in Han which meets each and every element of Claim 1. Han is a suspension and the present invention and does not disclose dissolving polymer into

solvent. Note at his Example 6, Han states:

"Green conductive poly(anilinium tosylate) powders (5 g) was prepared as in Example 3, and was suspended in 35 mL of N-methyl pyrrolidinone...

Applicants respectfully point out that Han clearly states that the aforementioned powder is SUSPENDED in the NMP. This is contrary to what Applicants have disclosed and now claim i.e. the polymer is DISSOLVED in the NMP solution as such concentration as to allow the polymer to dissolve into said solvent.

There is no suggestion in Han that would lead the skilled artisan to attempt to orient a film made by a different process such as the ones disclosed in Han and Cao. The reference to Han makes no suggestion as to orienting the film

The Examiner asserts that Han teaches stretch orientation and contends that Han teaches the use of a plasticizer and a solvent. The Examiner has totally ignored the rest of the limitations in Applicants' claims as now written, for which there is no teaching or suggestions in Han. Applicants' claims distinguish over Han and Cao, et al. in that Applicants now include limitations which are not found in Han which render the subject matter patentable. There is no suggestion in Han to seek out the methods of Cao.

The Examiner rejected claims under 35 U.S.C.§102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Elsenbaumer (U.S. 4,983,322). Elsenbaumer discloses a method of using a solution to form a conducting polymer. He discloses polyaniline in combination with an oxidizing dopant. He illustrates the useful dopants by disclosing a list of compounds, a substantial number of which are halogen-containing compounds. His preferred dopants are chlorine and bromine-containing compounds with the most preferred dopant being $FeCl_3$. Elsenbaumer uses his dopant to modify the electrical properties of the polymer. This is an inherent difference in kind as

compared with the present invention. Appellants have emphasized in the specification (page 11) that the morphology of a polymer is very important in determining the polymer's physical, mechanical and electronic properties.

Applicants specifically state that prior art polyaniline base films of the type disclosed by Applicants have obtained an unexpected benefit as a result of their discovery that the additive provides local mobility to the polymer to allow the polymer chains to associate tightly with one another to achieve a high crystalline state.

Applicants have previously provided experimental data (under oath) that clearly establishes and supports the necessary difference in kind rather than degree of the oxidant that they use as opposed to the dopant of Elsenbaumer under similar conditions. The preferred $FeCl_3$. species in solution of Elsenbaumer provides the Cl^- ions analogous to the HCl used by Appellants in their comparative evaluation. The enhanced crystallinity (one of the objects of the invention) enhances the electrical properties and renders the Applicants' invention an unexpected improvement.

As noted above, it is improper to reject the claims as now amended in view of Elsenbaumer using an "inherency" assertion under 35 U.S.C. §103(a). The remarks relating to difference in kind versus degree which are presented with respect to the Han reference are incorporated by reference with respect to the Elsenbaumer reference.

For the Examiner to properly make the assertions on concerning "inherency" or stretching the film of Han in view of Cao, that he has on the record with respect to rejecting the Applicants' claims over Cao, Han, and Elsenbaumer, he is obligated to produce specific support for his assertions as to patentability or an Affidavit as provided for under 37 C.F.R. 104(d)(2) for the Examiner to qualify himself as an expert to make these statements.

Please address all future correspondence relating to this application to the undersigned at 6136 West Kimberly Way, Glendale, AZ 85308-7627

The Commissioner is requested to grant a 3 month extension of time within which to respond to the Office Action noted above. A check for $1110.00 to cover the cost of the extension fee is enclosed.

Respectfully submitted,

By: _____

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I hereby certify that this paper is being mailed via the United States Postal Service first class mail, postage pre-paid on the date indicated below addressed to The Commissioner of Patents & Trademarks, Post Office Box 1450, Alexandria, VA 22313-1450

Signature: _____ Date: August 3, 2009

Name: Thomas A. Beck